

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.

CIVIL APPLICATION NO. 1507 OF 2017 IN
FIRST APPEAL ST. 2529 OF 2017

(The Executive Engineer, Bembla Project ..vs.. Madhav Govind Karale, (Dead) Thr.
LR's and ors.)

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri P.B. Patil, Advocate for the appellant.
Ms. Udeshi, A.G.P. for the State.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- JANUARY 11, 2023.

Heard.

2. By preferring this appeal along with delay condonation application, the appellant – acquiring body has challenged the judgment and award passed by the Civil Judge, Senior Division, Yavatmal on 03/09/2015 in L.A.C. No. 257/2007.

3. It is submitted by Shri Patil, that now there is a policy that the rate of Rs.500/- per sq. mtr. is fixed for open plot along with 25% rise in the price for constructed area granted by the Land Acquisition Officer.

4. It is further accepted by the Acquirign Body that if the compensation is granted by the Reference Court within the said limit, then the appeal could not be filed and if filed, it is to be withdrawn.

5. In view of the said policy, the appellant is not inclined to proceed with the appeal and hence the appeal along with delay condonation application, be disposed of as withdrawn.

6. The Court fee be refunded as per the Rules.
7. The respondent Nos.1a to 1e are at liberty to withdraw the amount, which is already deposited by the appellant in this Court. The amount be disbursed on due verification and identification.
8. The Civil application along with First Appeal is disposed of as withdrawn.

(URMILA JOSHI-PHALKE, J.)

**Divya*